REMARKS/ARGUMENTS

Amendments

The Applicants have amended claims 11, 13-20, 31 and 33-40; claims 1-10 and 21-30 have been cancelled. Accordingly, claims 11-20 and 31-40 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-4, 7, 11-14, 17, 21-24, 31-34 and 37 stand rejected under 35 U.S.C §103(a) as being unpatentable over Sladek et al. (US6718178, hereinafter, Sladek) in view of Muhonen (WO 99/66746, hereinafter Muhonen). Claims 1-4, 7 and 21-24 have been canceled without prejudice and the rejection of these claims is moot. The Applicant respectfully traverses the rejection of the remaining claims

The Applicant's invention discloses the home MMSC of a sender mobile phone sending a notification, based on SMS, to a receiving mobile phone instead of sending the mobile terminated MMS to the home MMSC of the receiving mobile phone. In normal MMS traffic a MMS server determines from a MSISDN contained in a MMS message that the message should be sent to the receiving mobile phone MMS server. The receiving mobile phone can only receive notification from the mobile phones own PLMN Push Access Protocol server. In the Applicant's invention after a MMS message is received at the MMS server, a notification is sent to a PAP server, which notifies the receiving mobile phone using SMS. Receipt of the notification at the mobile phone initiates a HTTP GET request to fetch the MMS message.

The Sladek reference appears to disclose a method for sending an informational message to a predetermined destination upon detecting a call processing event (Abstract). Sladek sends a message to a recipient when a call processing event occurs (i.e., John calls Mary) Sladek, in contrast to the Applicant's invention, does not send notification to the PAP server, nor does Sladek disclose sending a SMS message to the receiving mobile phone to trigger the HTTP GET request to retrieve the MMS message from the MMS server.

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Muhonen discloses a multimedia message service center (MMSC) serving an MS. The MMSC sends an SMS notification message to the MS informing the MS that a multimedia message for the MS has been received in the MMSC. The MS then retrieves the message from the MMSC. What is missing from both Sladek and Muhonen is any methodology for getting the multimedia message to the server serving the mobile device when the message originates from a sender that is served by a different server. The multimedia message contains the MSISDN of the mobile device, but not the IP address of the server serving the mobile device. Therefore, the message cannot be routed through the Internet or other IP network to the server serving the mobile device.

Claim 11 has been amended to clarify the differences between the claimed invention and the cited references, Sladek and Muhonen. Amended claim 11 now recites a method of sending a multimedia message from a sender, having an associated sender's server, to a mobile device having an associated server serving the mobile device, wherein the sender's server is connected to the server serving the mobile device through an Internet Protocol (IP) network. The method includes the steps of sending a multimedia message that includes an identification number for the mobile device from the sender to the sender's server; sending a notification from the sender's server to the mobile device utilizing the mobile device identification number. The notification includes an IP address of the sender's server and indicates that the multimedia message is available for retrieval from the sender's server. In response to receipt of the notification, the mobile device sends a request to the mobile device's server to retrieve the multimedia message from the sender's server. The request includes the IP address of the sender's server. The server serving the mobile device then retrieves the multimedia message from the sender's server, through the IP network, and the mobile device retrieves the multimedia message from the server serving the mobile device. The multimedia message is then stored in the mobile device.

Thus, amended claim 11 recites a method enabling the multimedia message to be routed to the server serving the mobile device when the message originates from a sender that is served by a different server. Such a method is not taught or suggested by Sladek or Muhonen. Therefore, the allowance of amended claim 11 is respectfully

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requested. Claims 12-20 depend from amended claim 11 and recite further limitations in combination with the novel elements of claim 11. Claims 12-20 have been amended to conform to amended base claim 11 and to define the abbreviations recited in the original claims. Therefore, the allowance of claims 12-20 is also requested.

Claim 31 is a system claim corresponding to method claim 11. Claim 31 has been amended in a similar manner, and now recites a system for sending a multimedia message from a sender having an associated sender's server to a destination mobile device having an associated server serving the mobile device, wherein the sender's server is connected to the server serving the mobile device through an IP network. The system includes in the sender's server, logic configured to initially receive the multimedia message from the sender, the multimedia message including an identification number for the destination mobile device. The logic in the sender's server is also configured to send a notification of the multimedia message to the mobile device utilizing the mobile device identification number, wherein the notification includes an IP address of the sender's server and indicates that a multimedia message is available for retrieval from the sender's server. In the mobile device, logic is configured to send a request to the server serving the mobile device in response to receipt of the notification, wherein the request includes the IP address of the sender's server. In the server serving the mobile device, logic is configured to retrieve the multimedia message from the sender's server through the IP network. In the mobile device, further logic is configured to retrieve the multimedia message from the server serving the mobile device, and store the multimedia message in the mobile device.

Thus, amended claim 31 recites a system enabling the multimedia message to be routed to the server serving the mobile device when the message originates from a sender that is served by a different server. Such a system is not taught or suggested by Sladek or Muhonen. Therefore, the allowance of amended claim 31 is respectfully requested. Claims 32-40 depend from amended claim 31 and recite further limitations in combination with the novel elements of claim 31. Claims 32-40 have been amended to conform to amended base claim 31 and to define the abbreviations recited in the

original claims. Therefore, withdrawal of the rejection of claims 32-40 is respectfully requested.

Claims 5-6, 15-16, 25-26 and 35-36 are rejected under 35 U.S.C §103(a) as being unpatentable over Sladek and Muhonen and further in view of Rueger *et al.* (US 2003/0018806, hereinafter Rueger). Claims 5-6 and 25-26 have been canceled rendering the rejection of these claims moot. The Applicant respectfully traverses the rejection of the remaining claims.

Claims 15-16 and 35-36 depend from amended independent claims 11 and 31 respectively. Rueger was cited only for teaching including the mobile telephones in same or different PLMNs in order to provide a message server for handling messages between different telecommunication networks It is respectfully submitted that Rueger does not address the above-identified deficiencies of Sladek and Muhonen with respect to Applicant's invention. The combination of the Sladek, Muhonen and Rueger references fails to teach sending a notification of the multimedia message to the mobile device utilizing the mobile device identification number, wherein the notification includes, an IP address of the sender's server and indicates that a multimedia message is available for retrieval from the sender's server. Further, in the mobile device, logic is configured to send a request to the server serving the mobile device in response to receipt of the notification and the request includes the IP address of the sender's server. Therefore, the rejection of Claims 15-16 and 35-36 under 35 U.S.C. 103(a) stands traversed. The withdrawal of the rejection of Claims 15-16 and 35-36 is respectfully requested.

Claims 8, 18, 28, and 38 are rejected under 35 U.S.C §103(a) as being unpatentable over Sladek and Muhonen and further in view of Okada *et al.* (US 6463134, hereinafter Okada). Claims 8 and 28 have been canceled rendering the rejection of these claims moot. The Applicant respectfully traverses the rejection of the remaining claims.

Claims 18 and 38 depend from amended independent claims 11 and 31 respectively. Okada was cited for teaching sending a notification from the MMS server to a PAP server and then from the PAP server to the mobile phone. It is respectfully submitted that Okada does not address the above-identified deficiencies of Sladek and Muhonen with respect to Applicant's invention. The combination of the Sladek, Muhonen and Okada references fails to teach sending a notification of the multimedia message to the mobile device utilizing the mobile device identification number, wherein the notification includes an IP address of the sender's server and indicates that a multimedia message is available for retrieval from the sender's server. Further, Okada fails to teach that logic in the mobile device is configured to send a request to the server serving the mobile device in response to receipt of the notification and the request includes the IP address of the sender's server. Therefore, the withdrawal of the rejection of Claims 18 and 38 is respectfully requested.

Claims 9-10, 19-20, 29-30 and 39-40 are rejected under 35 U.S.C §103(a) as being unpatentable over Sladek, Muhonen, Okada and further in view of Daly *et al.* (US 6393014, hereinafter Daly). Claims 9-10 and 29-30 have been canceled rendering the rejection of these claims moot. The Applicant respectfully traverses the rejection of the remaining claims.

Claims 19-20 and 39-40 depend from amended independent claims 11 and 31 respectively. Daly was cited for teaching sending an HTTP Get request form the mobile device to automatically retrieve the multimedia message. It Is respectfully submitted that Daly does not address the above-identified deficiencies of Sladek, Muhonen and Okada with respect to Applicant's invention. The combination of the Sladek, Muhonen, Okada and Daly references fails to teach sending a notification of the multimedia message to the mobile device utilizing the mobile device identification number, wherein the notification includes an IP address of the sender's server and indicates that a multimedia message is available for retrieval from the sender's server. Further, Okada fails to teach that logic in the mobile device is configured to send a request to the server serving the mobile device in response to receipt of the notification and the request

includes the IP address of the sender's server. Therefore, the withdrawal of the rejection of Claims 19-20 and 39-40 is respectfully requested.
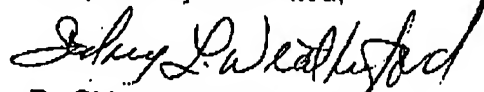
Appl. No. 10/024,304
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EUS/J/P/04-3251

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for Claims 11-20 and 31-40.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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